

Article 3.E:

**A-R, Attached Residential District**

*Article 3.E:***A-R, Attached Residential  
(Townhouse and Attached Residential District)****A. Purpose and Intent:**

The A-R, Attached Residential District is created to provide for attached residential dwellings such as conventional townhouses, row houses, multiplex dwellings, duplexes and other similar forms of attached residential units. Single family detached residential dwellings may be permitted under the special use provisions of the district. Garden apartments, "over and under" attached residences, housing for the elderly, and other forms of multi-family housing are not permitted in this district. The A-R District is intended for use in locations compatible with the Comprehensive Plan's goals for medium density, attached residential development in Smithfield. The average density of six (6) to eight (8) units per net developable acre establishes this district as one recognizing townhouse-styled units as the dominant land use.

The A-R District shall be applied to undeveloped tracts lying within Smithfield, as well as to infill parcels at selected locations with the intent of preserving existing natural features and vegetation, promoting excellence in site planning and landscape design, creating self-sustaining neighborhoods and recreational areas and encouraging attached housing with compatible scale, materials and character of architecture. Development in the A-R, Attached Residential District shall be sensitive to land physiography, provision of adequate public infrastructure and development of quality transportation improvements in achieving optimal siting of dwellings, recreation areas, community facilities and open space.

**B. Permitted Uses:**

1. Attached residential (townhouse) dwellings.
2. Duplex residential dwellings (one dwelling per subdivided lot).
3. Private community facilities, recreation areas and other common area improvements normally associated with attached residential developments (other than those requiring special use permits) shall be permitted subject to general development plan and final site plan approval.
4. Accessory uses, to include tool sheds, detached garages and carports, children's playhouses, doghouses and accessory off-street parking and loading spaces.
5. Irrigation wells.

**C. Uses Permitted by Special Use Permit:**

1. Single family detached residences, subject to S-R District regulations, provided that such residences do not comprise more than 25% of the total planned residential units depicted on the general development plan.
2. Parking lots for recreational vehicles and boats, except as part of a planned development.
3. Commercial swimming pools and tennis courts.
4. Churches and places of worship.
5. Public uses and facilities.
6. Recycling centers, for use by the A-R District residents only.
7. Child day centers.
8. Adult day care centers.
9. Nursery schools.
10. Private schools.
11. Public schools.
12. Cemeteries.
13. Home occupations.
14. Group homes.
15. Institutional housing and general care for indigents and orphans.
16. Private clubs and golf courses.
17. Public utilities.
18. Temporary real estate marketing offices for new subdivisions.
19. Multi-family housing for the elderly and assisted living residences requiring medical and/or food support structures, subject to MF-R regulations.

**D. Maximum Density:**

1. Eight (8.0) dwelling units per net developable acre.

**E. Lot Size Requirements:**

1. Minimum district size: Five (5) acres
2. Minimum lot area for attached (townhouse) dwellings:
  - A. Interior lot: 1600 square feet
  - B. Corner lot: 2400 square feet

- C. Condominium: See Additional Regulations for A-R District
- 3. Minimum lot area for duplex dwellings:
  - A. Interior lot: 4000 square feet
  - B. Corner lot: 5000 square feet
  - C. Condominium: See Additional Regulations for A-R District
- 4. Minimum lot width for attached (townhouse) dwellings:
  - A. Interior lot: 18 feet
  - B. Corner lot: 35 feet,  
subject to additional side yard regulations.
  - C. Condominiums: See Additional Regulations for A-R District
- 5. Minimum lot width for duplex dwellings:
  - A. Interior lot: 35 feet,  
subject to additional side yard regulations.
  - B. Corner lot: 50 feet,  
subject to additional side yard regulations.
  - C. Condominiums: See Additional Regulations for A-R District
- 6. Other: Where a lot is to be subdivided into individual lots for the sale of single family attached dwelling units:
  - A. Lot lines shall conform with party wall centerlines, and
  - B. Each lot shall be required to include a rear privacy yard with a minimum area of 200 square feet. The design of the privacy yard shall be detailed on the final site plan and shall include provisions for screening, fencing, paving, exterior lighting and/or special landscaping treatment.

**F. Bulk Regulations:**

## 1. Height

- A. Residential building height: 35 feet  
by Commission waiver: 45 feet, but not to exceed 3 stories.
- B. Public or semi-public building: 45 feet,  
provided that required front, rear and side yards shall be  
increased by 1 foot for each foot of height over thirty-five feet.
- C. Cupolas, spires and steeples: 90 feet,  
by special use permit approved by the Planning Commission.
- D. Accessory structures: 16 feet  
provided that accessory building heights may be increased to  
twenty-four feet in accordance with Article 2, Section P of the  
Zoning Ordinance.

## 2. Minimum yard requirements for attached, duplex and two-family dwellings:

- A. Front yard: 25 feet,  
for any yard fronting a public right of way.  
  
12 feet,  
for any yard fronting a private travelway and/or parking bay,  
provided that the minimum yard depth be measured from the  
face of building to either (1) the back of vehicular pavement  
curbing or (2) the back of sidewalk if located between building  
and vehicular pavement curbing, whichever dimension is closer  
to the building front.  
  
20 feet,  
for any yard fronting a private travelway and/or parking bay  
serving a residential dwelling with a garage.

B. Side yard: 25 feet,  
for any side yard fronting a public right of way.

16 feet,  
for any side yard abutting a private travelway and/or parking bay.

12 feet,  
for any side yard abutting an adjacent lot line.

C. Rear yard: 25 feet

3. In addition to the above regulations, the yard requirements for uses and structures other than residential dwellings and residential accessory uses shall be further regulated by floor area ratio and lot coverage ratios. A maximum floor area ratio equal to 0.30 shall apply to such non-residential uses and structures, with a maximum percentage of building coverage on the lot equal to 20%. The location of all such uses shall be subject to site plan approval.

**G. Open Space and Recreation Areas:**

1. Twenty-five percent (25%) of the gross site area shall be common open space dedicated to common usage and ownership.
2. Fifty percent (50%) of the required common open space area shall be developed as active recreational areas and facilities.
3. Active recreational areas may include playgrounds with recreational structures, tot lots, tennis courts, swimming pools, wading pools, spas and saunas, clubhouse facilities, community meeting rooms and other similar facilities intended for the exclusive use and participation of residents within the A-R development. The applicant shall establish that the type and quality of the planned improvements for the active recreation space shall satisfy the needs of the residents of the project. The location, mix, type, quality and phasing of active recreation facilities and open spaces shall be delineated on the General Development Plan and are subject to Planning Commission approval. A bond may be required for such improvements and facilities subject to the discretion of the Planning Commission.
4. No more than 40% of the required common open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, water features, stormwater management facilities, slopes greater than 30% and/or drainage easements.

5. Required common open space shall be contiguous and shall occupy a single parcel within the A-R development unless otherwise approved by the Planning Commission.
6. In no instance shall open space credit be given for lands which are included in or reserved for public rights of way or private travelways, loading areas, required sidewalks or parking areas.
7. Open space and active recreational areas shall be accessible to all attached residential lots within the development via dedicated pedestrian access easements. Walkways and other forms of pedestrian access shall form an interconnected system within the A-R District, serving as access to open space, recreational areas and other pedestrian destinations. Pedestrian systems shall be delineated on the General Development Plan.
8. Where community bike and pedestrian trails intended for public use have been designated by the Town's adopted Comprehensive Plan or the Capital Improvements Plan, the applicant shall connect interior pedestrian trails and sidewalks within the project, where appropriate, to these community trails.
9. All open space shall be further regulated by landscaping requirements.
10. All common open space, recreational areas and other common properties shall be preserved for their intended purpose as shown on the approved Plan of Development and shall be established by metes and bounds on the Final Subdivision Record Plat.
11. Common open space, recreational areas and other common properties shall be owned, administered and maintained by a not-for-profit, property owners' association, provided, however, that a portion or all of such properties may be dedicated to the Town subject to and at the sole discretion of the Town for acceptance at time of plat recordation. Property owners' association by-laws, articles of incorporation, restrictive covenants and a schedule of maintenance shall be submitted with any application for subdivision plat or site plan approval.
12. For open space, recreational areas and other common properties to be retained by the property owners' association of a subdivision, the initial developer/owner of the subdivision must establish the owners' association as a legal entity prior to the recordation of the final plat. Membership in the association shall be mandatory for all lot owners within the subdivision. The owners' association shall own all common open space and recreational facilities and shall provide for their perpetual administration, maintenance and operation.

**H. Net Developable Area Calculation for Attached Residential**

1. Notwithstanding governing lot size and yard regulations, the maximum number of units for attached residential development or subdivision shall be calculated based on existing land conditions. The yield of a subdivision shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
2. The final plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions. *(Refer to illustrative example of net developable area calculation in the Appendix of the Zoning Ordinance.)*

<b><u>Physical Land Unit</u></b>	<b><u>Percent Credited Toward Net Acreage</u></b>
<i>Slopes less than 10%:</i>	100%
<i>Slopes from 10% but less than 20%:</i>	75%
<i>Slopes from 20% but less than 30%:</i>	50%
<i>Slopes 30% or more:</i>	10%
<i>Soils with high shrink/swell characteristics, as defined:</i>	75%
<i>Wetlands, existing water features and streams:</i>	0%
<i>Stormwater management basins and structures:</i>	0%
<i>Above-ground 69 KV or greater transmission lines:</i>	0%
<i>Public right-of-way</i>	0%
<i>Private streets, travelways and combined travelways and parking bays</i>	0%

3. No credit towards net developable area shall be given for planned public rights-of-way, private streets, travelways and combined travelways and parking bays within a lot or property to be developed or subdivided. Twenty percent (20%) shall be subtracted from the calculated net developable acreage to allow for street rights of way, unless it can be demonstrated by survey calculations to the satisfaction of the Planning Commission that proposed street rights of way, private streets, travelways and combined travelways and parking bays in a subdivision will be less than 20% percent of the calculated net acreage.

4. No A-R District residential lot shall be configured such that more than 25% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains and (d) water features. Stormwater management and BMP facilities shall not be constructed within the boundaries of a residential lot.

**I. Additional Regulations:**

1. Waiver of Minimum District Size: The Planning Commission may approve a special permit waiving the five acre minimum district size requirement for the A-R, Attached Residential District provided that the owner shall successfully demonstrate that consolidation with contiguous parcels or lots necessary to meet minimum district size represents an undue economic hardship or physical impossibility. Further, the owner shall establish that such proposed A-R development will have no deleterious effect on contiguous properties while satisfying the purpose and intent of the district.
2. Refer to Parking and Loading Requirements, Article 8, for parking regulations.
  - A. Parking spaces for each dwelling unit shall be assigned and located within close proximity to the individual dwelling unit served.
  - B. Separate parking spaces shall be allocated and reserved within an A-R development for recreational vehicle parking on the basis of one (1) recreational vehicle parking space per four (4) dwelling units. No recreational vehicle parking space shall front on a public street.
  - C. ADA (American Disabilities Act) parking requirements and dimensions shall be incorporated as a required improvement into all plats and site plans.
  - D. Recreational vehicle parking shall not be permitted on residential lots within the A-R District. Refer to Parking and Loading Requirements for parking regulations and specific requirements for common parking lots for recreation vehicle and boat storage.
3. Private Travelways, Combined Travelways with Parking Bays and General Access:
  - A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (curb

to curb), within a minimum 30 foot private vehicular access easement to be recorded with the subdivision plat.

- B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (curb to curb), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (curb to curb), with 18 feet allocated to the depth of each parking bay space.
- C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the Town's Design and Construction Standards manual, as revised.
- D. All travelways and parking bays shall be constructed with VDOT CG-6 or approved equivalent curb and gutter.
- E. No attached dwelling unit may be accessed directly from a public street unless approved by special permit.

4. Refuse and Solid Waste Buffering and Screening

- A. All refuse facilities shall be completely enclosed and screened.

5. Additional Setback and Lot Requirements

- A. Where adjacent properties are zoned to a district other than the A-R District, all Attached Residential buildings shall be set back at least 25 feet from the common district property line(s) or as otherwise provided by screening and buffer requirements.
- B. Front lot lines shall be common with private vehicular access easement lines, provided that where a perpendicular parking stall, recreational feature and/or a sidewalk intended for common usage are located outside of the private vehicular access easement, a minimum landscaped front yard of 12 feet shall be provided.

6. Separation and Grouping of Units

- A. Building structures for single-family attached dwelling units shall be separated from one another by a minimum of 24 feet.

- B. No more than eight (8) and no fewer than three (3) single-family attached units (townhouses) shall be included in any one physically contiguous grouping.
  - C. Townhouse grouping shall be designed to minimize “flat,” row-house architectural facades. Architectural projections, off-sets, window bays, porches, mixed materials and colors and other design elements shall be provided to achieve this result.
  - D. Architectural treatment of attached dwellings shall vary so that no more than two abutting units are substantially the same and so that no more than four units in any group are substantially the same.
7. Required Improvements and Maintenance of Improvements
- A. For any development in the A-R District, all common area improvements (including open space, recreational facilities, private travelways, walkways, parking areas and other community facilities) shall be maintained by and at the sole responsibility of the developer-owner of the A-R District development until such time as the developer-owner conveys such common area to a non-profit property owners’ association entity consisting of the individual owners of the dwelling units in the development.
  - B. On-site lighting, signing and mailboxes (as approved by the U.S. Postal Service) shall be provided by the owner-developer of the A-R, Attached Residential District development. These improvements shall be of compatible scale, materials and colors, the designs for which shall be provided with the final site plan.
8. Property Owners’ Association and Covenants
- A. Prior to final approval of a subdivision plat or site plan which includes common properties or common property improvements to be owned by a property owners’ association, the Town Attorney shall review and approve the applicant’s property owners’ association bylaws, articles of incorporation, restrictive covenants and a schedule of common property maintenance.
  - B. Deed restrictions and covenants shall be included with the conveyance of common property and common property improvements to include, among other things, that assessments, charges and costs of maintenance of such common

areas shall constitute a pro-rata share lien upon the individual dwelling lots, such lien inferior only to taxes and recorded trusts.

- C. Restrictive covenants shall specify the detailed means by which the non-profit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, pedestrian trails, parking areas, snow removal travelways and other common elements of the development.

9. Additional Land Development and Site Plan Requirements

- A. All uses within the A-R District shall require a General Development Plan for zoning and/or special permit approval. The General Development Plan shall serve as the master land use plan for the specific development proposal.
- B. The development of any and all sections within the A-R District shall require site plan approval in conformance with the General Development Plan.
- C. A Traffic Impact Assessment may be required for any A-R District application by the Planning and Zoning Administrator. The study shall be prepared in accord with the guidelines and standards provided by the Town.
- D. Refer to Landscaping Regulations for additional screening buffer yard and open space landscaping provisions.
- E. Refer to the Town's Design and Construction Standards Manual for additional residential design standards and criteria.

10. Condominiums

- A. Any proposed condominium development established under the Condominium Laws of Virginia shall be subject to the following provisions:
  - (1) All setbacks, density and other A-R district provisions shall be met.
  - (2) Minimum lot and yard requirements shall be met as if lot lines existed.
  - (3) A site plan shall be required and shall govern the location of all site structures and improvements on final plans.

11. No private domestic well and septic systems shall be permitted. Irrigation wells are permitted by right.
12. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the Town. All recorded plats for lots containing shrink/swell soils shall bear the following note: *"This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."*
13. Refer to the Floodplain Zoning Overlay District, where applicable.
14. Refer to the Chesapeake Bay Preservation Area Overlay District.
15. Refer to the Smithfield Historic District Design Guidelines and the HP-O district for additional design standards and criteria, where applicable.
16. Refer to Sign Regulations, Article 10 for signage provisions.